

Plaintiff(s)

Against

AFFIDAVIT OF SERVICE

THE CITY OF NEW YORK, 1 WORLD TRADE CENTER, et al

Defendant(s) Respondent(s)

STATE OF NEW YORK, COUNTY OF QUEENS

JOHN BYANK, The undersigned, being sworn says: Deponent is not a party herein; is over 18 years and resides at:

3 CRESCENT STREET, MASTIC, NY 11950

On 3-3-08 at 2:15PM at ONE RIVERFRONT PLAZA, NEWARK, NJ

Deponent served the within:

☒-X- Other FIRST SUPPLEMENTAL SUMMONS AND FIRST AMENDED COMPLAINT☒-X- Summons and Complaint ☐--- Notice of Petition and Petition ☐--- Order to Show Cause☐--- Subpoena Duces Tecum ☐--- Subpoena ☐--- Subpoena of Non-Party Witness

On TULLY CONSTRUCTION CO, INC.

☒-X-Defendant ☐---Witness (herein after called the recipient)

C/O PATTON BOGGS LLP

☐---Respondent

Individual By delivering a true copy of each to said recipient personally, deponent knew the person so served to be the person
described as said recipient therein.

Corporation By delivering there a true copy of each to: JOSEPH E. HOPKINS (PARTNER)

Agency/Entity personally, deponent knew said corporation so served to be the corporation, described in same as said respondent and

☒-X- knew said individual to be Authorized Agent thereof who specifically stated SHE/HE was authorized to accept service.

Suitable By delivering thereat a true copy of each to: a person of suitable age
Age Person and discretion authorized to accept service. Said premises is recipient's actual place of business dwelling place
usual place of abode within State.

Affixing to By affixing a true copy of each to the door of said premises, which is recipient's actual place of business
Door, etc. dwelling place usual place of abode within the state. Deponent was unable, with due diligence, to find recipient
or a person of suitable age and discretion, thereat, having called there.

Mailing to Deponent talked to: at said premises who stated that recipient lived worked there
Residence within 20 days of such delivery or affixing. Deponent enclosed copy of same in a postpaid envelope properly addressed
to recipient at recipient's last known residence at: and deposited said envelope in an official
depository under care and custody of the U.S. Postal Service within New York State.

Mailing to Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a First Class post paid envelope
Business properly addressed to recipient's actual place of business at:
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
Envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof by return address or
otherwise, that the communication was from an attorney or concerned an action against the recipient.

Description	<input checked="" type="checkbox"/> -X- Male	<input checked="" type="checkbox"/> -X-White Skin	<input type="checkbox"/> ---Black Hair	<input type="checkbox"/> ---White Hair	<input type="checkbox"/> ---14-20 yrs.	<input type="checkbox"/> ---Under 5'	<input type="checkbox"/> ---Under 100 lbs
<input checked="" type="checkbox"/> -X- Female	<input type="checkbox"/> ---Black Skin	<input checked="" type="checkbox"/> -X-Brown Hair	<input type="checkbox"/> ---Balding	<input type="checkbox"/> ---21-35	<input type="checkbox"/> ---5'-5'3	<input type="checkbox"/> ---100-130 lbs	
	<input type="checkbox"/> ---Yellow Skin	<input type="checkbox"/> ---Blonde Hair	<input type="checkbox"/> ---Mustache	<input checked="" type="checkbox"/> -X-36-50	<input type="checkbox"/> ---5'4-5'8	<input type="checkbox"/> ---131-160 lbs	
	<input type="checkbox"/> ---Brown Skin	<input type="checkbox"/> ---Gray Hair	<input type="checkbox"/> ---Beard	<input type="checkbox"/> ---51-65	<input type="checkbox"/> ---5'9-6'	<input type="checkbox"/> ---161-200 lbs	
	<input type="checkbox"/> ---Red Skin	<input type="checkbox"/> ---Red Hair	<input type="checkbox"/> ---Glasses	<input type="checkbox"/> ---Over 65 yrs.	<input checked="" type="checkbox"/> -X-Over 6'	<input checked="" type="checkbox"/> -X-Over 200 lbs	

Other identifying features:

Witness Fees \$ the authorizing traveling expenses ☐--- was paid to the recipient
and one day's witness fee: ☐--- was mailed to the witness with subpoena copy

Military I asked the person spoken to whether recipient was in active military service of the U S or of the Sate of New York in
Service any capacity whatsoever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform.
The source of my information and the grounds for my belief are the conversations and observation above narrated. Upon
information and belief I have that the recipient is not in military service of NY State or of the United States as that term is
defined in either the State or in the Federal statutes.

Sworn to before me on

3/5/08

ANNE LI

Notary Public, State of New York

No. 01LI6161335

Qualified in Queens County

Commission Expires 02/26/2011

JOHN BYANK - LICENSE NO. 1057987